

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RAYMOND GIRHART BOULDIN,

Defendant.

CR 19-52-M-DLC

ORDER

United States Magistrate Judge Kathleen L. DeSoto entered Findings and Recommendation in this matter on January 16, 2020. Neither party objected and therefore they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

This Court will review the Findings and Recommendation for clear error.

McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge DeSoto recommended this Court accept Raymond Girhart Bouldin’s guilty plea after Bouldin appeared before her pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to possession of an unregistered firearm

in violation of 26 U.S.C. §§ 5841, 5861(d), and 5871 as set forth in Count II of the Indictment. In exchange for Defendant's plea, the United States has agreed to dismiss Count I of the Indictment.

I find no clear error in Judge DeSoto's Findings and Recommendation (Doc. 33), and I adopt them in full, including the recommendation to defer acceptance of the Plea Agreement until sentencing when the Court will have reviewed the Plea Agreement and Presentence Investigation Report.

Accordingly, IT IS ORDERED that Raymond Girhart Bouldin's motion to change plea (Doc. 22) is GRANTED and Raymond Girhart Bouldin is adjudged guilty as charged in Count II of the Indictment.

DATED this 31st day of January, 2020.



Dana L. Christensen, Chief District Judge
United States District Court